

**ASSEMBLY BILL**

**No. 1978**

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**Introduced by Assembly Member Cedillo**

**(Coauthors: Assembly Members Cunneen, Davis, Ducheny,  
Firebaugh, Kuehl, Longville, Mazzoni, Strickland,  
Strom-Martin, and Wiggins)**

**(Coauthors: Senators Alarcon, Hayden, Johnston, and  
Speier)**

February 18, 2000

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An act to add Section 12200.05 to the Welfare and Institutions Code, relating to human services, making an appropriation therefor, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1978, as introduced, Cedillo. SSP benefits for veterans.

Existing law provides for the state Supplementary Program for the Aged, Blind and Disabled (SSP), which requires the State Department of Social Services to contract with the United States Secretary of Health and Human Services to make payments to SSP recipients to supplement supplemental security income (SSI) payments made available pursuant to the federal Social Security Act.

This bill would provide SSP benefits to certain veterans of World War II who return to the Republic of the Philippines and no longer have a place of residence in the state, if they were receiving SSP benefits on December 14, 1999.

Existing law continuously appropriates money from the General Fund for the purpose of implementing the SSP

program, and, by expanding the scope of eligibility for benefits under the SSP program, this bill would make an appropriation.

The bill would declare that it is to take effect immediately as an urgency statute.

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. It is the intent of the Legislature that the  
2 benefits made available under the State Supplementary  
3 Program (SSP) for the Aged, Blind, and Disabled to those  
4 veterans of World War II who were receiving SSP  
5 benefits on December 14, 1999, be provided to those  
6 courageous soldiers who were members of the  
7 Government of the Commonwealth of the Philippines  
8 military forces who were in the service of the United  
9 States on July 31, 1941.

10 SEC. 2. The Legislature finds and declares the  
11 following:

12 (a) Included among those military forces described in  
13 Section 1 of this act were the organized guerrilla forces  
14 under commanders appointed, designated, or  
15 subsequently recognized by the Commander in Chief of  
16 the Southwest Pacific Area or other competent authority  
17 in the Army of the United States.

18 (b) It is in the public interest that Californians  
19 recognize those courageous soldiers who fought and  
20 defended American interests during World War II and  
21 who are currently receiving SSP benefits as of December  
22 14, 1999, by permitting them to return to their homeland  
23 to spend their last days without a complete forfeiture of  
24 SSP benefits.

25 SEC. 3. Section 12200.5 is added to the Welfare and  
26 Institutions Code, to read:

27 12200.5. (a) Notwithstanding any other provision of  
28 law, any person receiving benefits under this article on  
29 December 14, 1999, and who meets the requirements of  
30 subdivision (b) shall remain eligible to receive benefits

1 under this article although he or she does not retain a  
2 residence in the state and returns to the Republic of the  
3 Philippines, if he or she maintains a permanent residence  
4 in the Republic of the Philippines without any lapse of his  
5 or her presence in the Republic of the Philippines for a  
6 period of more than 30 consecutive days in any period of  
7 12 months and without a lapse of his or her presence in the  
8 Republic of the Philippines for two periods of 30  
9 consecutive days during a period of three years.

10 (b) A person subject to subdivision (a) shall be eligible  
11 to receive benefits pursuant to this section if he or she was  
12 receiving benefits under this article pursuant to  
13 subdivision (a) or (b) of Section 12200 on December 14,  
14 1999.

15 (c) Benefits under this section shall be calculated the  
16 same as those benefits paid under subdivision (a) or (c)  
17 of Section 12200, as appropriate.

18 (d) Benefits paid under this section shall be in lieu of  
19 benefits paid under Section 12200 or any other provision  
20 of this article for the period for which the benefits are  
21 paid.

22 (e) Benefits shall be paid under this article for any  
23 period during which the recipient is eligible to receive  
24 federal Supplementary Security Income (SSI) benefits as  
25 a result of the application of federal Public Law 106-169,  
26 subject to any limitations imposed by this section.

27 (f) This section shall apply only to any individual who  
28 returns to the Republic of the Philippines for the period  
29 during which the individual establishes and maintains a  
30 residence in the Republic of the Philippines and shall  
31 cease to apply to any individual who, after receiving  
32 benefits pursuant to this section, leaves the Republic of  
33 the Philippines and establishes a residence outside the  
34 Republic of the Philippines.

35 SEC. 4. This act is an urgency statute necessary for the  
36 immediate preservation of the public peace, health, or  
37 safety within the meaning of Article IV of the  
38 Constitution and shall go into immediate effect. The facts  
39 constituting the necessity are:

1 In order to timely implement this act in a manner that  
2 would result in reduced implementation costs, it is  
3 necessary that this act take effect immediately.

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